

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

MACK TURNAGE,

Plaintiff,

v.

UNKNOWN,

Defendant.

No. 1:22-cv-00183-DAD-GSA (PC)

ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS AND DISMISSING  
THIS ACTION DUE TO PLAINTIFF'S  
FAILURE TO OBEY A COURT ORDER

(Doc. No. 15)

Plaintiff Mack Turnage is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action brought pursuant to 42 U.S.C. § 1983. This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On June 17, 2022, the assigned magistrate judge issued findings and recommendations recommending that this action be dismissed due to plaintiff's failure to obey a court order. (Doc. No. 15.) Specifically, plaintiff has failed to comply with the court's April 20, 2022 order directing him to file a first amended complaint using the court's form template for this purpose, which the court ordered because plaintiff's original complaint consists only of a letter expressing plaintiff's "hope and intention" regarding COVID-19 safety and protocol policies in North Kern State Prison, but plaintiff does not clearly articulate his claims or specify the defendants against whom his claims are being made. (*Id.*; Doc. Nos. 1; 13.) Therefore, the magistrate judge issued findings and recommendations recommending that plaintiff's action be dismissed. (*Id.*) Those

1 pending findings and recommendations contained notice that any objections thereto were to be  
2 filed within fourteen (14) days after service. (*Id.* at 3.) To date, no objections have been filed,  
3 and the time in which to do so has since passed. Plaintiff has also not filed a first amended  
4 complaint as directed, or otherwise communicated with the court in this action.

5 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this court has conducted a  
6 *de novo* review of this case. Having carefully reviewed the entire file, the court finds the findings  
7 and recommendations to be supported by the record and by proper analysis.

8 Accordingly:

- 9 1. The findings and recommendations issued on June 17, 2022 (Doc. No. 15) are  
10 adopted in full;
- 11 2. This action is dismissed, without prejudice, due to plaintiff's failure to obey a  
12 court order; and
- 13 3. The Clerk of the Court is directed to close this case.

14 IT IS SO ORDERED.

15 Dated: July 26, 2022

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UNITED STATES DISTRICT JUDGE